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A COLLECTION

OF

THE ACTS

PASSED BY

THE GOVERNOR GENERAL OF INDIA IN COUNCIL

IN THE YEAR

1905.

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TITLES OF ACTS

PASSED BY

THE GOVERNOR GENERAL OF INDIA IN COUNCIL

IN THE YEAR 1905.

I. An Act further to amend the Local Authorities Loan Act, 1879.

II. „ to validate action taken under the Indian Universities Act, 1904.

III. „ to consolidate and amend the law relating to the Government Paper Currency.

IV. „ to provide for investing the Railway Board with certain powers or functions under the Indian Railways Act, 1890.

V. „ further to amend the Indian Articles of War.

VI. „ further to amend the Court-fees Act, 1870.

VII. „ to make certain provisions regarding the application of the law in force in the Province of Eastern Bengal and Assam and in certain territory transferred from the Central Provinces to Bengal.

ACT No. I OF 1905.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(*Received the assent of the Governor General on the 3rd February, 1905.*)

An Act further to amend the Local Authorities' Loan Act, 1879.

WHEREAS it is expedient further to amend the Local Authorities' Loan Act, 1879; It is hereby enacted as follows:— XI of 1879.

1. This Act may be called the Local Authorities' Loan (Amendment) Act, 1905. Short title.

2. In clause (*a*) of the proviso to section 8 of the Local Authorities' Loan Act, 1879, after the words "Port of Madras" the words "or the Commissioners for the Port of Rangoon" shall be inserted. Amendment of Act XI of 1879, section 8. XI of 1879.

ACT No. II OF 1905.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 10th February, 1905.)

An Act to validate action taken under the Indian Universities Act, 1904.

WHEREAS the Indian Universities Act, 1904, VIII of 1904. authorizes the Chancellor of each of the Indian Universities to make directions, declarations and orders with a view to the constitution of the Body Corporate and the appointment of the Provisional Syndicate thereof;

And whereas various directions, declarations and orders have been made in pursuance of the said authority, and Bodies Corporate and Provisional Syndicates have been constituted and appointed thereunder;

And whereas doubts have been raised as to the construction of the said Act and as to the validity of some of the said directions, declarations and orders and as to the validity of the constitution and appointment of some of the said Bodies Corporate and Provisional Syndicates, and it is expedient to remove such doubts;

It is hereby enacted as follows :—

Short title. 1. This Act may be called the Indian Universities (Validation) Act, 1905.

Validation of directions, declarations and orders. 2. All directions, declarations and orders made as aforesaid, shall be deemed to have been duly made under the Indian Universities Act, 1904. VIII of 1904.

Validation of constitution and appointment of Bodies. 3. The Bodies Corporate and Provisional Syndicates constituted and appointed as aforesaid shall be deemed to have been duly constituted and appointed under the said Act.

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ACT No. III of 1905.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(*Received the assent of the Governor General on the 22nd March, 1905.*)

An Act to consolidate and amend the law relating to the Government Paper Currency.

WHEREAS it is expedient to consolidate and amend the law relating to the Government Paper Currency; It is hereby enacted as follows:—

Preliminary.

Short title and extent.

1. (*1*) This Act may be called the Indian Paper Currency Act, 1905; and

(*2*) It extends to the whole of British India, inclusive of British Baluchistan, the Sonthal Parganas and the Pargana of Spiti.

The Department of Paper Currency.

Department of Paper Currency for issue of currency notes.

2. There shall continue to be a Department of the public service, to be called the Department of Paper Currency, whose function shall be the issue of promissory notes of the Government of India, to be called currency notes, payable to bearer on demand, and of such denominational values, not being less than five rupees, as the Governor General in Council may direct.

Head Commissioner and Commissioners of Paper Currency.

3. At the head of the Department there shall be an officer to be called the Head Commissioner of Paper Currency, and there shall be three other officers, to be called, respectively,—

(*a*) the Commissioner of Paper Currency for Madras,

(*b*) the Commissioner of Paper Currency for Bombay, and

(*c*) the

(*c*) the Commissioner of Paper Currency for Rangoon.

Power to establish circles of issue, offices of issue and currency agencies.

4. The Governor General in Council may, by notification in the Gazette of India,—

(*a*) establish districts, to be called circles of issue, four of which circles shall include the towns of Calcutta, Madras, Bombay, and Rangoon, respectively;

(*b*) appoint in each circle some one town to be the place of issue of currency notes, as hereinafter provided;

(*c*) establish in each such town an office or offices of issue;

(*d*) establish in any town situate in any circle an office, to be called a currency agency; and

(*e*) declare that, for the purposes of this Act, any town (other than Calcutta, Madras, Bombay, or any town situate in Burma) in which an office of issue is established, shall be deemed to be situate within such Presidency as is specified in the order.

Commissioners and Deputy Commissioners of Paper Currency and Currency Agents.

5. (*1*) The Head Commissioner of Paper Currency shall be the officer in charge of the circle of issue which includes the Town of Calcutta, and the Commissioners of Paper Currency for Madras, Bombay, and Rangoon shall be the officers in charge of the circles of issue which include the towns of Madras, Bombay, and Rangoon, respectively.

(*2*) For each other circle of issue there shall be an officer in charge to be called the Deputy Commissioner of Paper Currency, and for each Currency Agency an officer to be called the Currency Agent.

Subordination of officers.

6. For the purposes of this Act,—

(*a*) the Commissioners of Paper Currency for Madras, Bombay, and Rangoon, and the Deputy Commissioners of Paper Currency in

(*The Department of Paper Currency.—Section 7. Supply and Issue of Currency Notes.—Sections 8-9.*)

in the Presidency of Fort William in Bengal, shall be subordinate to the Head Commissioner of Paper Currency;

(*b*) the Deputy Commissioners of Paper Currency in the Presidencies of Fort St. George and Bombay, and in the Province of Burma, shall be subordinate to the Commissioners of Paper Currency for Madras, Bombay, and Rangoon, respectively; and

(*c*) the Currency Agent at any town shall be subordinate to the Head Commissioner, Commissioner or Deputy Commissioner, as the case may be, of Paper Currency for the circle of issue in which that town is situate.

Appointment of officers.

7. All officers under this Act shall be appointed by the Governor General in Council.

Supply and Issue of Currency Notes.

Head Commissioner, Commissioners and Deputy Commissioners to provide and distribute currency notes.

8. (*1*) The Head Commissioner shall provide currency notes of the denominational values prescribed under this Act, and shall supply the Commissioners and the Currency Agents subordinate to him, and the Deputy Commissioners, with such notes as they need for the purposes of this Act.

(*2*) The Commissioners and Deputy Commissioners shall supply the Currency Agents subordinate to them, respectively, with such notes as those Agents need for the purposes of this Act.

(*3*) Every such note, other than a currency note of the denominational value of five rupees issued from any town not situate in Burma, shall bear upon it the name of the town from which it is issued.

Signatures to currency notes.

9. The name of the Head Commissioner, of one of the Commissioners, of a Deputy Commissioner, or of some other person authorized by the Head Commissioner,

Commissioner, or by one of the Commissioners, to sign currency notes, shall be subscribed to every such note, and may be impressed thereon by machinery, and when so impressed shall be deemed to be a valid signature.

Issue of currency notes for silver or gold coin by officers in charge of circles.

10. The officers in charge of circles of issue shall, in their respective circles, on the demand of any person, issue, from the office or offices of issue established in their respective circles, currency notes of the denominational values prescribed under this Act, in exchange for the amount thereof—

(*a*) in rupees or half rupees or in gold coin which is legal tender under the Indian Coinage Act, 1870, or XXIII of 1870.

(*b*) in rupees made and declared to be a legal tender under the provisions of the Native Coinage Act, 1876. IX of 1876.

Issue of currency notes for silver or gold coin by Currency Agents.

11. Any Currency Agent to whom currency notes have been supplied under section 8 may, if he thinks fit, on the demand of any person, issue from his agency any such notes in exchange for the amount thereof in any coin specified in section 10.

Issue to Government Treasuries of currency notes for gold coin not legal tender or gold bullion.

12. The officers in charge of circles of issue shall, on the requisition of the Comptroller General, issue to any Government Treasury currency notes in exchange for gold coin which is not legal tender under the Indian Coinage Act, 1870, or for gold bullion at the rate of one rupee for 7·53344 grains troy of fine gold. XXIII of 1870.

Issue of currency notes for certain gold coin or gold or silver bullion or securities held by Secretary of State.

13. If the Secretary of State for India in Council shall consent to hold in gold coin or bullion, or in silver bullion or in securities of the kinds mentioned in section 20, the equivalent in value to notes issued in India as a reserve to secure the payment of such notes, the Governor General in Council may from time to time direct that currency notes shall be issued to an amount equal to the value of the coin, bullion

and

and securities so held by the Secretary of State for India in Council.

Currency Notes where legal tender and where payable.

Currency notes where legal tender.

14. A currency note of the denominational value of five rupees, issued from any town not situate in Burma, shall be a legal tender in any place in British India except Burma,

a currency note of the denominational value of five rupees, issued from any town in Burma, shall be a legal tender at any place in Burma, and

a currency note of any denominational value exceeding five rupees shall be a legal tender at any place within the circle from which the note was issued,

for the amount expressed in the note, in payment or on account of—

(*a*) any revenue or other claim, to the amount of five rupees or upwards, due to the Government of India, and

(*b*) any sum of five rupees or upwards, due by the Government of India or by any body corporate or person in British India :

Provided that no currency note shall be deemed to be a legal tender by the Government of India at any office of issue.

Currency notes where payable.

15. A currency note shall be payable at the following offices of issue, namely :—

(*a*) a currency note of the denominational value of five rupees, issued from any town not situate in Burma, at any office of issue not situate in Burma;

(*b*) a currency note of the denominational value of five rupees, issued from any town in Burma, only at an office of issue in such town;

(*c*) a

(*c*) a currency note of any denominational value exceeding five rupees, at an office of issue in the town from which it was issued and also, unless issued from any town in Burma, at an office of issue in the Presidency-town of the Presidency within which such town is situate.

Currency notes issued from currency agencies where deemed to be issued.

16. For the purposes of sections 14 and 15, currency notes issued from any currency agency shall be deemed to have been issued from the town appointed under section 4 to be the place of issue in the circle of issue in which that agency is established.

Reserve.

Reserve coin, bullion and securities to be equal to amount of currency notes in circulation.

17. The whole amount of currency notes at any time in circulation shall not exceed the total amount represented by the sovereigns, half sovereigns, rupees, half rupees and gold bullion, and the sum expended in the purchase of the silver bullion and securities, which are for the time being held by the Secretary of State for India in Council and by the Governor General in Council as a reserve to provide for the satisfaction and discharge of the said notes, and the said notes shall be deemed to have been issued on the credit of the Government of India as well as on the security of the said coin, bullion and securities:

Provided that, for the purposes of this section, currency notes which have not been presented for payment, in the case of notes of any denominational value not exceeding one hundred rupees within forty years, and in the case of notes of any denominational value exceeding one hundred rupees within one hundred years, from the first day of April following the date of their issue, shall be deemed not to be in circulation:

Provided further that all notes which are declared under the first proviso to this section not to be in circulation

circulation shall be deemed to have been issued on the credit of the Government of India and shall, if subsequently presented for payment, be paid from the revenues of the Government of India.

Power to dispose of coin and bullion in reserve.

18. Subject to the provisions of section 17, the Governor General in Council may at any time, if he thinks it expedient, convert any of the coin or bullion for the time being held by him as a part of the reserve into coin of any of the kinds mentioned in section 10 or into gold or silver bullion.

Coin and bullion to remain part of reserve during transit between England and India.

19. If any coin or bullion held by the Secretary of State for India in Council or by the Governor General in Council as part of the reserve is transmitted by the Secretary of State for India in Council to the Governor General in Council or by the Governor General in Council to the Secretary of State for India in Council, it shall be deemed during the period of transmission to remain part of the reserve referred to in section 17.

Nature and value of securities which may form reserve.

20. The securities mentioned in section 17 shall be securities of the United Kingdom of Great Britain and Ireland or of the Government of India, or securities issued by the Secretary of State for India in Council under the authority of Act of Parliament and charged on the revenues of India, and the value of them at the price at which they are purchased shall not exceed one hundred and twenty millions of rupees:

Provided that the value at such price as aforesaid of such of the said securities as are not securities of the Government of India shall at no time exceed twenty millions of rupees.

Trustees of Indian securities purchased under Act.

21. The securities purchased by the Governor General in Council shall be securities of the Government of India, and shall be held by the Head Commissioner and the Master of the Mint at Calcutta, or of such other Mint as the Governor General in Council may direct in this behalf, in trust for the Secretary of State for India in Council.

22. (*1*) The

(Reserve.—Sections 22-23. Private Bills payable to Bearer on Demand.—Sections 24-25.)

Power to sell and replace Indian securities.

22. (*1*) The Head Commissioner may, at any time, when ordered so to do by the Governor General in Council, sell and dispose of any of the securities held under section 21.

(*2*) For the purpose of effecting such sales, the Master of the Mint at Calcutta or of such other Mint as aforesaid shall, on a request in writing from the Head Commissioner, at all times sign and endorse the securities, and the Head Commissioner, if so directed by the Governor General in Council, may purchase securities of the Government of India to replace such sales.

Account of interest on securities.

23. An account showing the amount of the interest accruing on the securities held as part of the reserve under this Act, and the expenses and charges incidental thereto, shall be rendered annually by the Head Commissioner to the Governor General in Council, and published annually in the Gazette of India.

Private Bills payable to bearer on Demand.

Prohibition of issue of private bills or notes payable to bearer on demand.

24. No person in British India shall draw, accept, make or issue any bill of exchange, hundi, promissory note or engagement for the payment of money payable to bearer on demand, or borrow, owe or take up any sum or sums of money on the bills, hundis or notes payable to bearer on demand, of any such person:

Provided that cheques or drafts, payable to bearer on demand or otherwise, may be drawn on bankers, shroffs or agents by their customers or constituents, in respect of deposits of money in the hands of those bankers, shroffs or agents and held by them at the credit and disposal of the persons drawing such cheques or drafts.

Penalty for issuing such bills or notes and

25. (*1*) Any person contravening the provisions of section 24 shall, on conviction by a Presidency Magistrate or a Magistrate of the first class, be punishable

punishable with a fine equal to the amount of the bill, hundi, note or engagement in respect whereof the offence is committed. Institution of prosecutions.

(*2*) Every prosecution under this section shall be instituted by the officer in charge of the circle of issue in which the bill, hundi, note or engagement is drawn, accepted, made or issued.

Supplementary Provisions.

26. An abstract of the accounts of the Department of Paper Currency, showing— Abstracts of accounts.

(*a*) the whole amount of currency notes in circulation,

(*b*) the amount of coin and bullion reserved, distinguishing gold from silver, and showing separately the amount of coin or bullion held by the Secretary of State for India in Council, or in transit from or to India, or in the custody of the Mint Master during coinage, and

(*c*) the nominal value of, and the price paid for, the securities held as part of the reserve, showing separately those held by the Secretary of State for India in Council and those held in India under section 21,

shall be made up four times in each month by the Head Commissioner, and published, as soon as may be, in the Gazette of India.

27. (*1*) The Governor General in Council may make rules to carry out the purposes and objects of this Act. Power to make rules.

(*2*) In particular and without prejudice to the generality of the foregoing power, such rules may—

(*a*) fix the denominational values (not being less than five rupees) for which currency notes shall be issued ;

(*b*) provide

(*Supplementary Provisions.—Section 28. Transfer of Office of Issue from Allahabad to Cawnpore. —Section 29.*)

(*b*) provide for the alteration of the limits of any of the circles of issue; and

(*c*) declare the places at which currency notes shall be issued.

(*3*) Every such rule shall be published in the Gazette of India, and on such publication shall have effect as if enacted in this Act.

Repeals.

28. The enactments mentioned in the Schedule are hereby repealed to the extent specified in the last column thereof:

Provided that all securities purchased and notes issued under the Indian Paper Currency Act, 1882, or any Act thereby repealed shall, if undisposed of or in circulation at the commencement of this Act, be deemed to have been respectively purchased and issued under this Act. XX of 1882.

Transfer of office of Issue from Allahabad to Cawnpore.

And whereas it is proposed to close the office of issue at present established in the town of Allahabad and to establish in lieu thereof an office of issue in the town of Cawnpore; It is hereby further enacted as follows:—

Special provision for payment of currency notes issued prior to closing of Allahabad office.

29. For the purposes of sections 14 and 15, a currency note issued from the office of issue in the town of Allahabad prior to the date of the closing of such office shall, notwithstanding anything hereinbefore contained, be deemed, from the date of the establishment of an office of issue in the town of Cawnpore, to have been issued from such last-mentioned office.

THE SCHEDULE.

(*The Schedule.—Enactments repealed.*)

THE SCHEDULE.

ENACTEMENTS REPEALED.

(*See section 28*)

Year.	No.	Short title.	Extent of repeal.
1882	XX	The Indian Paper Currency Act, 1882.	So much as is unrepealed.
1893	VIII	The Indian Coinage and Paper Currency Act, 1893.	So much as relates to the Indian Paper Currency Act, 1882.
1896	XXI	The Indian Paper Currency Act Amendment Act, 1896.	The whole.
1899	XXII	The Indian Coinage and Paper Currency Act, 1899.	So much as relates to the Indian Paper Currency Act, 1882.
1900	VIII	The Indian Paper Currency Act, 1900.	So much as is unrepealed.
1902	IX	The Indian Paper Currency Act, 1902.	The whole.
1903	VI	The Indian Paper Currency (Amendment) Act, 1903.	The whole.

ACT No. IV OF 1905.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(*Received the assent of the Governor General on the 22nd March, 1905.*)

An Act to provide for investing the Railway Board with certain powers or functions under the Indian Railways Act, 1890.

WHEREAS a Railway Board has been constituted for controlling the administration of railways in India, and it is expedient to provide for investing such Board with certain powers or functions under the Indian Railways Act, 1890; It is hereby enacted as follows:— IX of 1890.

Short title and construction.

1. (*1*) This Act may be called the Indian Railway Board Act, 1905; and

(*2*) It shall be read with, and taken as part of, the Indian Railways Act, 1890. IX of 1890.

Investment of Railway Board with powers under Indian Railways Act, 1890.

2. The Governor General in Council may, by notification in the Gazette of India, invest the Railway Board, either absolutely or subject to conditions,—

(*a*) with all or any of the powers or functions of the Governor General in Council under the Indian Railways Act, 1890, with respect to all or any railways, and IX of 1890.

(*b*) with the power of the officer referred to in section 47 of the said Act to make general rules for railways administered by the Government.

Mode of signifying communications from the Railway Board.

3. Any notice, determination, direction, requisition, appointment, expression of opinion, approval or sanction, to be given or signified on the part of the Railway

Railway Board, for any of the purposes of, or in relation to, any powers or functions with which it may be invested by notification under section 2, shall be sufficient and binding if in writing signed by the Secretary to the Railway Board, or by any other person authorized by the said Railway Board to act in its behalf in respect of the matters to which such authorization may relate; and the said Railway Board shall not in any case be bound in respect of any of the matters aforesaid unless by some writing signed in manner aforesaid.

ACT No. V OF 1905.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(*Received the assent of the Governor General on the 18th July, 1905.*)

An Act further to amend the Indian Articles of War.

WHEREAS it is expedient further to amend the Indian Articles of War; It is hereby enacted as follows:— V of 1869.

Short title.

1. This Act may be called the Indian Articles of War (Amendment) Act, 1905.

Amendment of articles 4 and 161 of Indian Articles of War.

2. In article 4, sub-article (*1*), clause (*b*), and in article 161 of the Indian Articles of War, for the words "division or district" the words "division, district or brigade" shall be substituted. V of 1869.

ACT No. VI OF 1905.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(*Received the assent of the Governor General on the 29th September, 1905.*)

An Act further to amend the Court-fees Act, 1870.

VII of 1870. WHEREAS it is expedient further to amend the Court-fees Act, 1870, It is hereby enacted as follows:—

Short title. **1.** This Act may be called the Court-fees (Amendment) Act, 1905.

Amendment of section 7, Act VII, 1870. VII of 1870. **2.** In section 7, sub-head xi, of the Court-fees Act, 1870,—

(*1*) after clause (*c*), the following clause shall be inserted, namely:—

"(*cc*) for the recovery of immoveable property from a tenant, including a tenant holding over after the determination of a tenancy;" and

(*2*) for the word "land", in both places in which it occurs, the words "immoveable property" shall be substituted.

ACT No. VII OF 1905.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(*Received the assent of the Governor General on the 29th September, 1905.*)

An Act to make certain provisions regarding the application of the law in force in the Province of Eastern Bengal and Assam and in certain territory transferred from the Central Provinces to Bengal.

WHEREAS by Proclamation No. 2832, dated the 1st September, 1905, the Governor General, with the sanction of His Majesty, has been pleased to constitute the Province of Assam, being the territories mentioned in Schedule A, to be, for the purposes of the Indian Councils Act, 1861, a Province to which the provisions of that Act touching the making of laws and regulations for the peace and good order of the Presidencies of Fort St. George and Bombay shall be applicable, and to direct that the said Province shall be called the Province of Eastern Bengal and Assam, and further to appoint a Lieutenant-Governor of that Province; 24 & 25 Vict., c. 67.

And whereas by the said Proclamation the Governor General in Council, with the like sanction, has been pleased to declare and appoint that, upon the constitution of the said Province of Eastern Bengal and Assam, the districts mentioned in Schedule B shall cease to be subject to or included within the limits of the Bengal Division of the Presidency of Fort William and shall be subject to and included within the limits of the Lieutenant-Governorship of the Province of Eastern Bengal and Assam;

And whereas, by Proclamation No. 2833, dated the 1st September, 1905, the Governor General in Council has been pleased to declare and appoint that the

the territory mentioned in Schedule C shall cease to form part of the Central Provinces and shall be subject to and included within the limits of the Bengal Division of the Presidency of Fort William;

And whereas it is expedient to make certain provisions regarding the application of the law in force in the territories affected by the said Proclamations;

It is hereby enacted as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Bengal and Assam Laws Act, 1905; and

(*2*) It shall come into force on the sixteenth day of October, 1905.

Saving of territorial application of enactments.

2. The Proclamations referred to in the preamble shall not be deemed to have effected any change in the territorial application of any enactment, notwithstanding that such enactment may be expressed to apply or extend to the territories for the time being under a particular administration.

Construction of certain references in enactments in force in territory mentioned in Schedules A, B and C.

3. All enactments, and all notifications, orders, schemes, rules, forms and by-laws issued, made or prescribed under enactments, which, immediately before the commencement of this Act, were in force in, or prescribed for, any of the territory mentioned in Schedule A, B or C, shall, in their application to that territory, be construed as if references therein to the authorities, territories or Gazettes mentioned in column 1 of Schedule D were references to the authorities, territories or Gazettes, respectively, mentioned opposite thereto in column 2 of that Schedule.

Constitution and powers of Board of Revenue in Eastern Bengal and Assam.

4. (*1*) There shall be a Board of Revenue for the Province of Eastern Bengal and Assam, to which the provisions of the Bengal Board of Revenue Regulation, 1822, and the Bengal Board of Revenue Act, 1850, shall, so far as may be, apply.

III of 1822.
XLIV of 1850.

(*2*) The said Board of Revenue shall discharge in respect of the territory mentioned in Schedule B all the functions which, immediately before the commencement of this Act, were vested in or exerciseable by

by the Board of Revenue for the Lower Provinces of the Presidency of Fort William in Bengal, and in respect of the whole or any portion of the territory mentioned in Schedule A such of the functions which at the same date were vested in or exerciseable by the Chief Commissioner of Assam as the Local Government may, with the previous sanction of the Governor General in Council, delegate to it.

Powers to Courts and Local Governments for facilitating application of enactments.

5. For the purpose of facilitating the application to any of the territory mentioned in Schedule A, B or C of any enactment passed before the commencement of this Act, or of any notification, order, scheme, rule, form or by-law made under any such enactment,—

(*a*) any Court may, subject to the other provisions of this Act, construe the enactment, notification, order, scheme, rule, form or by-law with such alterations, not affecting the substance, as may be necessary or proper to adapt it to the matter before the Court; and

(*b*) the Local Government may, by notification in the local official Gazette, direct by what officer any authority or power shall be exerciseable, and any such notification shall have effect as if enacted in this Act.

Pending proceedings.

6. Nothing in this Act shall affect any proceeding which, at the commencement thereof, is pending in or in respect of any of the territory mentioned in Schedule A, B or C; and every such proceeding shall be continued as if this Act had not been passed.

Repeal.

7. The enactments specified in Schedule E are hereby repealed to the extent mentioned in the fourth column thereof.

SCHEDULE A.

THE PROVINCE OF ASSAM.

The Districts of Goalpara, Kamrup, Darrang, Nowgong, Sibsagar, Lakhimpur, Sylhet, Cachar, Garo Hills, Khasia and Jaintia Hills, Naga Hills, and Lushai Hills.

SCHEDULE B.

SCHEDULE B.

TERRITORY TRANSFERRED FROM BENGAL TO THE PROVINCE OF EASTERN BENGAL AND ASSAM.

The Districts of Dacca, Mymensing, Faridpur, Backergunge, Tippera, Noakhali, Chittagong, the Chittagong Hill Tracts, Rajshahi, Dinajpur, Jalpaiguri, Rangpur, Bogra, Pabna and Malda.

SCHEDULE C.

TERRITORY TRANSFERRED FROM THE CENTRAL PROVINCES TO BENGAL.

The Sambalpur District (except the Chandarpur-Padampur Estate and the Phuljhar Zamindari).

SCHEDULE D.

(*See section 3.*)

PART I.

Construction of enactments, etc., in force in territories mentioned in Schedules A and B.

1	2
I.—The Local Government of Bengal II.—The Local Government of Assam	The Local Government of the Province of Eastern Bengal and Assam.
III.—The Board of Revenue of Bengal.	(*a*) The Local Government of the Province of Eastern Bengal and Assam in the territories mentioned in Schedule A, and
IV.—The Chief Controlling Revenue-authority or the Chief Revenue-authority.	(*b*) the Board of Revenue of the Province of Eastern Bengal and Assam in the territories mentioned in Schedule B.

V.—All

SCHEDULE D—*contd.*

1	2
V.—All officers and official bodies not mentioned in the foregoing clauses I to IV (except the Treasurer of Charitable Endowments) whose authority extended, immediately before the commencement of this Act, over the Province of Bengal generally, inclusive of the territory mentioned in Schedule B.	(*a*) The respective officers who, immediately before the commencement of this Act, exercised similar functions in the Province of Assam, or (*b*) Such other officers, respectively, as the Local Government of the Province of Eastern Bengal and Assam may, by notification in the local official Gazette, appoint in this behalf.
VI.—The Chief Commissionership of Assam.	The territory mentioned in Schedule A.
VII.—The local official Gazettes (English or Vernacular, as the case may be) of the Government of Bengal. VIII.—The local official Gazettes (English or Vernacular, as the case may be) of the Government of Assam.	The local official Gazettes (English or Vernacular, as the case may be) of the Government of the Province of Eastern Bengal and Assam.

PART II.

Construction of enactments, etc., in force in the territory mentioned in Schedule C.

1	2
I.—The Local Government of the Central Provinces.	The Local Government of Bengal.
II.—The Court of Wards of the Central Provinces. III.—The Superintendent of Government Wards in the Central Provinces. IV.—The Chief Controlling Revenue-authority, or the Chief Revenue-authority, of the Central Provinces.	The Board of Revenue of Bengal.

V.—The

SCHEDULE D—*concld.*

1	2
V.—The Judicial Commissioner of the Central Provinces.	The High Court of Judicature at Fort William in Bengal.
VI.—All officers and official bodies not mentioned in the foregoing clauses I to V (except the Treasurer of Charitable Endowments) whose authority extended, immediately before the commencement of this Act, over the Central Provinces generally inclusive of the territory mentioned in Schedule C.	(*a*) The respective officers who, immediately before the commencement of this Act, exercised similar functions in the Province of Bengal, or (*b*) such other officers, respectively, as the Local Government of Bengal may, by notification in the local official Gazette, appoint in this behalf.
VII.—The local official Gazettes (English or Vernacular, as the case may be) of the Government of the Central Provinces.	The local official Gazettes (English or Vernacular, as the case may be) of the Government of Bengal.

SCHEDULE E.

ENACTMENTS REPEALED.

(*See section 7.*)

1	2	3	4
Year.	No.	Subject or short title.	Extent of repeal.
1874	VIII	The Assam Chief Commissionership Act, 1874.	The whole Act.
1874	XII	The Sylhet Act, 1874 .	The whole Act.
1875	XX	The Central Provinces Laws Act, 1875.	The second sentence of section 3 and column 4 of Schedule A, in so far as they apply to the territory mentioned in Schedule C.

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